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The Honorable J.C. Coughenour

1 Antoine D. Johnson, MD
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4 UNITED STATES DISTRICT COURT

5 FOR THE WESTERN DISTRICT OF WASHINGTON

6 AT TACOMA

7 UNITED STATES PROBATION AND Case No. 3:21-cv-05125 JCC-DWC
8 PRETRIAL SERVICES (Custodian),

9 Respondent

10 v.
11 ANTOINE D. JOHNSON, MD,
12 Petitioner.

Request for Judicial Notice of Adjudicative Fact.
(FRE #201).

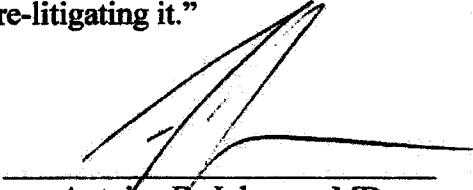
13 1. Please take judicial notice of Docket #395: p.2; lns. 2-4 of the underlying criminal
14 case No. 3:09-cr-05703-RBL where the Honorable R.S. Lasnik finds:

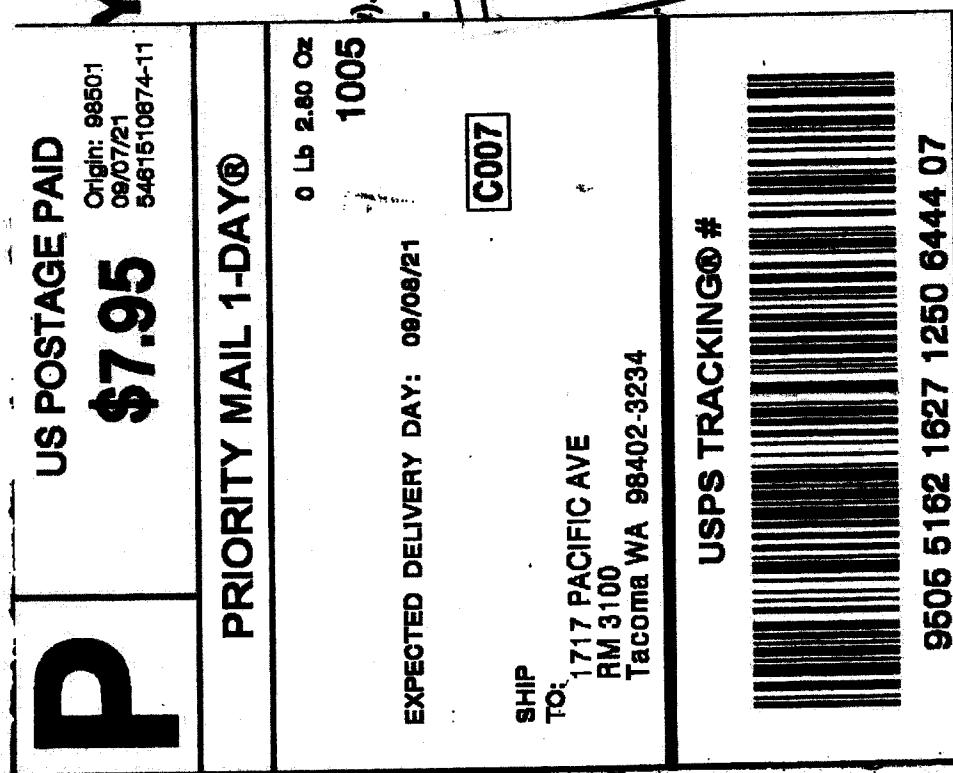
15 "Nothing in 21 C.F.R. 1301.28, or any legal authority
16 citing to the regulation, refers to or identifies the 'holding
17 out' requirement in 42 C.F.R. 2.12(e)(1)."

18
19 2. Please take judicial notice of Docket #15: p.9; lns. 21-22 through p.10; lns. 1-2 of
20 my first 2255 Motion, case No. 3:14-cv-06018-RBL, where the Honorable R.B. Leighton found:

21
22 "This so-called evidence relates, again, to the claim
23 that Johnson 'held himself out' as a substance abuse
24 treatment facility, which the Ninth Circuit has already
25 addressed. This is not a claim of actual innocence, and
26 Johnson is procedurally barred from re-litigating it."

27
28 Dated this 6th day of September, 2021.
Respectfully submitted by,


Antoine D. Johnson, MD



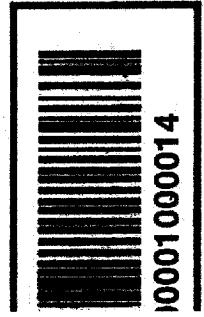
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